

IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH  
CENTRAL DIVISION

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WILLIAM ECHOLS, SANEH L. ECHOLS,  
and ALL ABOARD-THE TRAINING  
JUNCTION,

Plaintiffs,

vs.

UNITED STATES DEPARTMENT OF  
AGRICULTURE, UTAH STATE OFFICE  
OF EDUCATION, UTAH DEPARTMENT  
OF HEALTH, et al.

Defendants.

**ORDER**

Case No. 2:07-CV-791  
Judge Dee Benson

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On October 30, 2008, the Court issued an Order to Show Cause why the above-captioned action presently before the Court should not be dismissed for failure to prosecute. Plaintiffs responded to the Court's order on November 13, 2008, explaining the relevant history and the fact that they have been unable to secure counsel. While mindful of these facts, it is well established that "a corporation or other business entity can only appear in court through an attorney and not through a non-attorney corporate officer appearing pro se." Harrison v.

Wahatoyas, L.L.C., 253 F.3d 552, 556 (10<sup>th</sup> Cir. 2001). Moreover, and aside from this issue, Plaintiffs have also failed to comply with Federal Rule of Civil Procedure 4(m), which sets forth the requirements for timely service of the Complaint.

For these reasons, Plaintiffs' Complaint is dismissed, without prejudice.

IT IS SO ORDERED.

Dated this 14<sup>th</sup> day of November 2008.

A handwritten signature in black ink, reading "Dee Benson". The signature is written in a cursive, flowing style. The first name "Dee" is written with a large, stylized 'D' that loops around the 'e'. The last name "Benson" is written in a more standard cursive script.

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Dee Benson  
United States District Court